

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. SACV 22-00977-CJC (KESx)

Date: August 25, 2022

Title: RUBEN BARRIGA VILLALOBOS V. U.S. DEPARTMENT OF HOMELAND
SECURITY ET AL.

PRESENT:

HONORABLE CORMAC J. CARNEY, UNITED STATES DISTRICT JUDGE

Rolls Royce Paschal
Deputy Clerk

N/A
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF: ATTORNEYS PRESENT FOR DEFENDANT:

None Present

None Present

**PROCEEDINGS: (IN CHAMBERS) ORDER TO SHOW CAUSE WHY THIS
MATTER SHOULD NOT BE DISMISSED FOR LACK OF PROSECUTION**

On May 12, 2022, Plaintiff Ruben Barriga Villalobos filed a Petition for a Writ of Mandamus with this Court concerning a Form I-130 Petition for Alien Relative that he previously filed with U.S. Citizenship and Immigration Services on behalf of his spouse. (Dkt. 1.) Plaintiff filed proof service on June 30, 2022. (Dkt. 17.) After two months of inactivity, the Court issued an order to show cause why this matter should not be dismissed for lack of prosecution, wherein the Court instructed Plaintiff no later than August 5, 2022, to show cause in writing or to file (1) a request for entry of default as to all Defendants or Defendants' answers, (2) a stipulation extending Defendants' time to respond, or (3) a notice of voluntary dismissal as to all Defendants. (Dkt. 19.) On August 4, Plaintiff filed a request to enter default against the Defendants, (Dkt. 20), but the Clerk's Office filed on August 5 a notice of deficiency regarding service upon a U.S. agency or official sued in an official capacity, (Dkt. 21). Plaintiff filed a second request to enter default on August 9, (Dkt. 22), and on August 10, the Clerk's Office again filed a notice of deficiency, (Dkt. 23). In the two weeks since, there has been no activity.

Accordingly, the Court **ORDERS** Plaintiff no later than **September 8, 2022**, (1) to show cause why this matter should not be dismissed for lack of prosecution, **or** (2) in the alternative, to file a notice of default as to all Defendants with the Clerk's Office **and**

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Page 2

correct any deficiencies issued in response to said request for default. If Plaintiff fails to do so, Plaintiff risks immediate dismissal.

jso

MINUTES FORM 11
CIVIL-GEN

Initials of Deputy Clerk RRP